

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF NEW YORK

BYRNE & STORM, P.C.

Plaintiff,

vs.

Civil Action No. 1:12-CV-716  
(GLS/RFT)

ROY HANDEL, *et al.*

Defendant.

APPEARANCES:

For the Plaintiff:

Ganz, Wokenbreit Law Firm  
1 Columbia Circle  
Albany, New York 12203

CONOR E. BROWNELL, ESQ.

For the Defendants:

Office of Michael P. Delaney  
465 New Karner Road  
Albany, New York 12205

MICHAEL P. DELANEY, ESQ.

GARY L. SHARPE  
CHIEF JUDGE

**JUDGMENT DISMISSING ACTION BASED UPON SETTLEMENT**

The Court has been advised by United States Magistrate Judge Randolph F. Treece that the parties in the above-captioned case have reported to him that the case has been settled. Counsel has also advised Judge Treece that no infant or incompetent person is a party to this action. Accordingly, it is hereby

**ORDERED** that:

1. The above-captioned case is hereby **DISMISSED** in its entirety **without prejudice** to re-opening upon the motion of any party within thirty (30) days of the date of the filing of this order upon a showing that the settlement was not consummated;

2. The dismissal of the above-captioned case shall become **with prejudice** on the thirty-first day after the date of the filing of this order unless any party moves to re-open this case within thirty (30) days of the date of the filing of this order upon a showing that the settlement was not consummated; and

3. The Clerk shall forthwith serve this Judgment upon the attorneys for the parties appearing in this action by electronic mail.

**IT IS SO ORDERED.**

Dated: December 9, 2013  
Albany, New York

  
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Gary L. Sharpe  
Chief Judge  
U.S. District Court